

Applicant: Zurcher, Robert G.  
Application Serial No.: 09/922,620  
Filing Date: August 16, 2001  
Docket No.: 102-477 CIP (P-3522/1P1)

REMARKS

Claims 30-58 are pending in the application.

Applicant proposes that;

claim 43 be amended to include all of the limitations of the intervening claims 30, 33, 34 and 38. Accordingly, claims 30-42 have been cancelled.

In addition claim 57 be amended to include all the limitations of claims 47, 48 and 52. Accordingly, claims 47-56 have been cancelled.

Claims Rejections – 35 USC § 112

The examiner has stated that, "Claims 47-58 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 47 recites the limitation "said wings" in line 9. There is insufficient antecedent basis for this limitation in the claim. Applicant is suggested to put similar language of the wings and how it is connected to the housing as in claim 30."

Applicant submits proposed amendments fully address this rejection.

Claims Rejections – 35 USC § 102 and § 103

The examiner has stated that, "Claims 30-32, 46-47 are rejected under 35 U.S.C. 102(b) as being anticipated by Newby at al. (EP 0 997 159). Claims 37 and 51 are rejected under 35 U.S.C. 103(a) as being anticipated by Alesi. (U.S. Patent No. 6,309,376)."

Applicant submits that these rejections are rendered moot in view of proposed amendment.

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Allowable Subject Matter

The examiner has stated that, "Claims 43-45 are objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

In addition, the examiner also stated "Claims 57-58 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C 112, second paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims".


As noted above, applicant's proposed amendments as suggested by the examiner fully overcome this objection.

In view of proposed amendment applicant submits the proposed claims are patentably distinct over the prior art and allowable in form.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-1666.

If the Examiner has any questions or comments relating to the present application, he or she is respectfully invited to contact Applicant's agent at the telephone number set forth below.

Respectfully submitted,

  
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